

Notice of Allowability

Application No.

09/843,622

Examiner

Kripa Sagar

Applicant(s)

PETERSEN, JOHN S.

Art Unit

1756

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/21/04.
2. ☒ The allowed claim(s) is/are 1-7, 10-19, 69-73 and 75-88.
3. ☒ The drawings filed on 26 April 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Art Unit: 1756

DETAILED ACTION

Response to Amendment

1. The amendment filed 1/21/04 has been entered. Claims 1, 69,71,72,75 have been amended. Claim 74 is cancelled. Claim 88 is newly added; no new matter has been introduced by the amendment. Claims 1-7,10-19 69-73,75-88 are under consideration

Applicant should note that claim 1 as presented is the original claim and not as amended on 6/5/03.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kevin Shaughnessey on 2/18/04.

IN THE CLAIMS:

Amend claim 1 as follows:

1. A method of phase-shifting a beam from an electromagnetic beam source in a lithographic process comprising:

focusing a beam from the electromagnetic beam source onto a mask having a primary feature and one or more assist features proximate to the primary feature, the one or more assist features configured such that, when an electromagnetic beam

Art Unit: 1756

passes through the mask, opposing electric fields generated at the primary feature and at the one or more assist features balance to substantially eliminate the electric field at the zero frequency at the primary feature, the mask adapted to selectively phase-shift at least a portion of the beam according to a predetermined pattern;

passing the beam from the electromagnetic beam source through the mask producing a phase-shifted beam having substantially no zero-order light; and

directing the phase-shifted beam at a substrate adapted to image the primary feature.

Claim Rejections - 35 USC § 112

3. Claim rejections presented in the earlier office action are withdrawn in view of the amendment.

Allowable Subject Matter

4. Claims 1-7,10-19,69-73,75-88 are allowed.

The reasons for allowing claims 1-7,10-19 have been provided in the earlier office action.

Independent claim 69,has been modified to eliminate the weak phase-shifting provision of the claim. Claims 72,75 recite Fourier analysis of the layout pattern and simulation to refine the layout. The cited reference do not teach these.

Response to Arguments

5. Applicant's remarks and arguments were considered in allowing the claims.

Conclusion

Art Unit: 1756

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kripa Sagar whose telephone number is 571-272-1392. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark F Huff can be reached on 571-272-1385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MH/ks



MARK F. HUFF
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700